

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EPHESIAN JOHNNY FRANKLIN,

Plaintiff,

-against-

SHAWN COREY CARTER CEO RAPPER;
BEYONCE GISELLE KNOWLES POP
SINGER,

Defendants.

25-CV-231 (LTS)

ORDER DIRECTING PAYMENT OF FEES
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this court, a plaintiff must either pay \$405 in fees – a \$350 filing fee plus a \$55 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a completed and signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but his responses are do not establish that he is unable to pay the fees to bring this action. Plaintiff states that he is employed, that his gross salary is \$2,000, and that his weekly “take home pay” is \$400 per week. Plaintiff indicates that he has not received any income from a business, profession, self-employment, rent payments, interest, dividends, or any other source. (*Id.* at 1-2.) He responded with “Na” to questions about whether he has any money in a bank account, what his monthly expenses are, and whether he has any debts or financial obligations. (*Id.* at 2). When prompted to list any other assets, Plaintiff responded, “Slab City Videogame not published stemming.” (*Id.*) Plaintiff alleges that he pays \$1,000 per month to support his son, but it is not clear from the IFP application how he meets that financial obligation or pays his other living expenses. (*Id.*) Because Plaintiff fails to supply sufficient information concerning his income and expenses, it is unclear whether he has

sufficient funds to pay the filing fees for this action. The Court is therefore unable to make a ruling on Plaintiff's IFP application.

Accordingly, within 30 days of the date of this order, Plaintiff must either pay the \$405 in fees or fully complete, sign, and submit the attached amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 25-CV-231 (LTS), and address the deficiencies described above by providing facts to establish that he is unable to pay the fees to bring this action. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* § 1915(a)(1).

No summons shall issue at this time.¹ If Plaintiff complies with this order, this action shall be processed in accordance with the procedures of the Clerk's Office. If he fails to comply with this order within the time allowed, the Court will dismiss this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: February 27, 2025
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

¹ The Court will not address the pending motions until the fee issue is resolved.